



STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION

JOHN ELIAS BALDACCI
GOVERNOR

DAVID P. LITTELL
COMMISSIONER

**Northern New England
Telephone Operations, LLC
dba Fairpoint Communications
Cumberland County
Portland, Maine
A-439-71-F-T**

**Departmental
Findings of Fact and Order
Air Emission License
Transfer**

After review of the file and related materials submitted with regard to the above noted application, pursuant to Title 38, M.R.S.A., Section 590 and Chapter 2 of the Department Regulations, the Department finds the following facts:

I. Registration

Northern New England Telephone Operations, LLC dba Fairpoint Communications (Fairpoint) has requested the transfer of Air Emission License A-439-71-E-R(SM) from Verizon to Fairpoint through an application to the Bureau of Air Quality dated August 12, 2008. Air Emission License A-439-71-E-R(SM) was issued to Verizon on April 11, 2006. The facility is a central office switching center which houses telecommunications switching equipment used to provide telecommunication services to the customer.

This equipment is located at 45 Forest Avenue, Portland, Maine 04103.

II. Transfer Requirements

A. Title, Right, or Interest

In their application, Fairpoint submitted copies of property deeds transferring ownership of the facility to Fairpoint. The parties have provided sufficient evidence of title, right, or interest in the facility to allow the transfer of the facility's licenses.

B. Financial Capacity and Intent

Fairpoint states they possess the financial capacity to operate the facility in compliance with its air emission license.

C. Technical Capacity and Intent

Fairpoint's acquisition of the facility is not expected to result in any significant change in the employees that currently operate the equipment, facilities, and

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conduct other activities. The facility's regulatory history with the MEDEP demonstrates that the environmental personnel are competent in air pollution control. The information submitted in the application provides sufficient evidence that Fairpoint has the technical capacity and intent to comply with their air emission license.

D. Full Name and Address

Northern New England Telephone Operations, LLC, dba Fairpoint Communications, One Davis Farm Road, Portland, Maine 04103

E. Certification

Fairpoint certifies that there will be no increase in air emissions beyond that provided for in the existing licenses, either in quantity or type.

ORDER

Based on the above, the Department concludes that the applicant for the air emission license transfer has the capacity to satisfy all applicable statutory criteria and hereby APPROVES the transfer of Air Emission License A-439-71-E-R(SM), from Verizon to Fairpoint, subject to all conditions attached to them.

DONE AND DATED IN AUGUSTA, MAINE THIS 18th DAY OF March, 2009.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY: James P. Brophy
DAVID P. LITTELL, COMMISSIONER

PLEASE NOTE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES

Date of initial receipt of application: 09/09/08

Date of application acceptance: 02/06/09

Date filed with the Board of Environmental Protection: _____

This Order prepared by N. Lynn Cornfield, Bureau of Air Quality.

